

REMARKS

The Office Action dated November 12, 2008 has been received and carefully noted. The above amendments to the claims, and the following remarks, are submitted as a full and complete response thereto.

Claims 1, 10 and 11 have been amended to more particularly point out and distinctly claim the subject matter of the invention. No new matter has been added and no new issues are raised which require further consideration or search.

Initially, Applicants wish to thank the Examiner and her supervisor for their time and consideration extended during the telephonic interview conducted on January 8, 2009.

Claims 1, 10 and 11 were rejected under 35 U.S.C. §112, first paragraph, for allegedly disclosing subject matter that is not supported by the specification. For instance, the Office Action and the comments received from the Interview both alleged that there is no support for “prompting” and “pace movement.” Applicants have amended the claims to only recite terms which are discussed in the specification as filed. For instance, numerous examples of “notifying” are provided in the specification when referring to communication between the robot and the subject. Additionally, there is support for the robot informing the subject to stop and wait (please note the top of page 25 of the specification which discloses “please wait”).

Accordingly, each of claims 1, 10 and 11 recites subject matter which is properly supported by the specification, and, is thus, in accordance with §112, first paragraph. Withdrawal of the rejection is kindly requested.

Claims 1-2 and 5-8 were rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,556,892 to Kuroki et al. in view of “Vision Based Person Tracking with a Mobile Robot” to Schlegel et al and further in view of “BIRON, let me show you something – Evaluating the interaction with a Robot Companion” to Li.

Claims 3-4 were rejected under 35 U.S.C. §103(a) as being unpatentable over Kuroki in view of Schlegel and Li and further in view of U.S. Patent Publication No. 2004/0230340 to Fukuchi et al.

Claim 9 was rejected under 35 U.S.C. §103(a) as being unpatentable over Kuroki in view of Schlegel and Li and further in view of UK Patent Application No. GB 2 258 098 to Na.

Claims 10 and 11 were rejected under 35 U.S.C. §103(a) as being unpatentable over Kuroki in view of Schlegel, Li and further in view of JP-20055202078 to Shimomura.

Applicants submit that each of these rejections are improper because Li fails to qualify as prior art under any section of 35 U.S.C. §102, and, thus, cannot be used in a prior art rejection under 35 U.S.C. §103(a). The publication date of Li is October 10, 2004, which is after the effective priority date of the present application, which is April 1, 2003. Accordingly, each of the rejections of claims 1-11 rely on Li to cure the admitted

deficiencies of at least one or more of Kuroki, Schlegel, Fukuchi, Na and Shimomura, and, thus, for at least that reason, each of the above-noted rejections are improper and must be withdrawn.

Furthermore, Applicants submit that finality of the Office Action is improper since Li is not valid prior art. Withdrawal of the finality of the Office Action is kindly requested.

For at least the reasons discussed above, Applicants respectfully submit that the cited references fail to disclose or suggest all of the elements of the claimed invention. These distinctions are more than sufficient to render the claimed invention unanticipated and unobvious. It is therefore respectfully requested that all of claims 1-11 be allowed, and this application passed to issue.

If for any reason the Examiner determines that the application is not now in condition for allowance, it is respectfully requested that the Examiner contact, by telephone, the applicants' undersigned representative at the indicated telephone number to arrange for an interview to expedite the disposition of this application.

In the event this paper is not being timely filed, the applicants respectfully petition for an appropriate extension of time. Any fees for such an extension together with any additional fees may be charged to Counsel's Deposit Account 50-2222.

Respectfully submitted,



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